

Memorandum

To: Heads of Bureaus and Offices

From: Willie R. Taylor, Director
Office of Environmental Policy and Compliance

Subject: Fiscal Years 2003 and 2004 Central Hazardous Materials Fund (CHF)
Preliminary Project Nominations and Estimated Needs for On-going CHF
Funded Projects **(Reply Due: May 30, 2003)**

As part of the implementation of the CHF, the Office of Environmental Policy and Compliance (OEPC) is soliciting preliminary project nominations (and associated cost estimates) as well as estimated needs for on-going CHF funded projects for Fiscal Year 2005. Additionally, OEPC is seeking updated estimated fiscal needs and proposed accomplishments for projects nominated for FY 2004 support.

A list of projects supported by the CHF in FY 2003 is attached to this memorandum.

Eligibility Criteria

Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. §§ 9601 et seq., the Department's Bureaus are authorized to undertake response action to address the release or threatened release of CERCLA hazardous substances on or from land under the Bureaus' jurisdiction, custody, or control. As construed by the Solicitor's Office, the CHF appropriation language limits the expenditure of CHF funds to those sites for which a preliminary assessment and site inspection (PA/SI), or its equivalent, has been completed and at which the responsible Bureau is undertaking additional response action using CERCLA authorities. Consistent with these requirements, in addition to the PA/SI or other preliminary investigation, the assessment of natural resource damages or other activities that do not qualify as response action, as defined in CERCLA, are not eligible for funds from the CHF.

Documentation

The nominating Bureau must document the need for CERCLA response action at the site, the proposed action(s), and the estimated cost for the project. These documents must be sent to the Director, Office of Environmental Policy and Compliance.

Additional nomination documentation requirements for the CHF are found in Environmental Compliance Memorandum 99-02 which is attached to this memo. While only one nomination package per project is required, Fiscal Years 2004 and 2005 needs and planned accomplishments must be identified separately.

*Respondents are cautioned that information in the nomination package should be considered litigation sensitive. Each submittal must include a statement at the beginning of each nomination indicating that the document is **privileged information**.*

All nomination submittals must be by memorandum and in electronic file format. WordPerfect and Microsoft Word files are acceptable.

Please provide your response by **May 30, 2003**. If you have any questions, please call Robert M. Wilson of my staff at (202) 208-7556.

Attachment

FY 2003 CHF Supported Projects

BLM:

Atlas Asbestos, CA
Lee Acres Landfill, NM
Murtaugh Landfill, ID
Pine Creek Mines, ID
Red Devil Mine, AK
Manning Canyon Tailings, UT
Caselton Tailings, NV
Ute-Ulay Mill, CO
Tyro Mill, AZ
Veta Grande Mine, NV
Idaho Phosphate Mines, ID
Yerington Mine, NV
Black Rock Mine, CA
Ft Egbert, AK
Tybo Mine, NV
Rip Van Winkle, NV
Norse Windfall, NV

NPS:

Valley Forge NHP, PA
Grant Kohrs Ranch, WY
Barney Circle, DC
Cuyahoga NP (Krejci Dump), OH
Morningstar Mine, CA
Grand Canyon NP, (Orphan Mine), AZ

BIA:

Tar Creek, OK
Sheep Dip Vats, AZ
Idaho Phosphate Mines, ID
Wapato Irrigation, WA

FWS:

Crab Orchard NWR, IL
John Heinz NWR, PA
Sachuest NWR, RI
Prime Hook NWR, DE

SOL: *PRP Pursuit Specialists*

BOR:

Topock, CA
Matheson Mill, CA
Cost Estimation Support